



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF RESOLUTION MANAGEMENT
William S. Moorhead Federal Building
1000 Liberty Avenue, Suite 1801
Pittsburgh, PA 15222**

**Written Affidavit of Carla Dunkelberger in the Matter of the EEO Complaint of
Discrimination of discrimination filed by Tatyana Dreyaleva**

Tatyana Dreyaleva
10660 Hidden Mesa Pl.
Monterey, CA 93940

Complainant

v.

David Shulkin, Secretary
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Respondent

Case No: 200P-0501-2017103883

Facility: New Mexico VA Healthcare Center
1501 San Pedro Drive, S.E.
Albuquerque, NM 87108

The accepted claim(s) under investigation are:

- A. Whether Complainant was discriminated against based on age, sex (female) and disability, when from May 18, 2017, complainant was terminated during her probationary period.**
- B. Whether complainant was discriminated against based on age, sex (female) and disability, when on June 30, 2017, complainant was terminated during her probationary period.**

Affiant's Initials: CD Date: 3/8/18

Exhibit A

000104

8. Where did the complainant fall in your chain of command? *N/A*
- a. If the complainant's was in your chain of command how long was she there? *N/A*
9. What is the complainant's position and grade? The complainants complainants position and grade was: *Medical Instrument Technician; GS7*

10. Was the complainant a probationary employee? *Yes*

- a. If yes, please explain the dates of her probationary employment and what probationary employment means.

Probation period started at time of excepted appointment on April 2, 2017. The first year of employment is subject to a probationary period. The probationary period is a period of time in which supervisors are required to study an employee's potential closely to determine whether s/he is suited for successful government work.

11. What unit or section is the complainant assigned to? *5D Telemetry, Nursing Service*
12. What was your working relationship with the complainant? *I was the complainants direct supervisor.*
13. What is your sex? *Female*
14. When did you first become aware of the complainant's sex? *I am not aware of the complainants sex. The complainant referred to self as a female.*
15. How did you become aware of the complainant's sex? *I am not aware of the complainants sex. The complainant referred to self as a female.*

30 Did the complainant tell you that he felt that she was being discriminated when this occurred? *Do not understand the question; specifically what "this" is referring to.*

31 If yes, when? *N/A*

32 What was discussed and what was the outcome of the discussion? *N/A*

33 Do you have anything to offer the complainant in resolution of this claim?

The complainant was terminated during probationary status as a result of not following proper leave policies and procedures.

34 Is there anything else pertinent to these specific events that we have not discussed?

The complainant's AWOL status negatively impacted patient care and delayed completion of the complainants orientation. Staff morale is negatively affected as a result of a coworker not showing up for scheduled tours.

The complainant signed, was given a copy of, and verbalized understanding of MCM 05-11 Title 5 Duty and Leave Policy, MCM 05-8 Tours of Duty, and MCM 05-48 Employee Courtesy and Conduct, and a memo for established phone numbers and unplanned leave on April 18, 2017 (see supporting documentation).

The complainant was notified on multiple occasions the process to appropriately request leave for an extended period of time and that the unit level management team did not have the approval to grant such leave.

PLEASE NOTE THAT ORM RESERVES THE RIGHT TO SUPPLEMENT OR ASK ADDITIONAL QUESTIONS AS THE INVESTIGATION REQUIRES.

The above information has been furnished without a pledge of confidence and I understand that it may be shown to any interested party[ies] with a need to know for this complaint. This includes but is not limited to VA, EEOC, contracting officials with a need to know during the course and scope of the informal and formal EEO process including administrative procedures and litigation as applicable and mandated by law.

This statement is made under penalty of perjury on this 8TH day of March, 2018.

Carla Dunkelberger, RN MSN MBA
Carla Dunkelberger

Affiant's Initials: CD Date: 3/8/18